

Main Street

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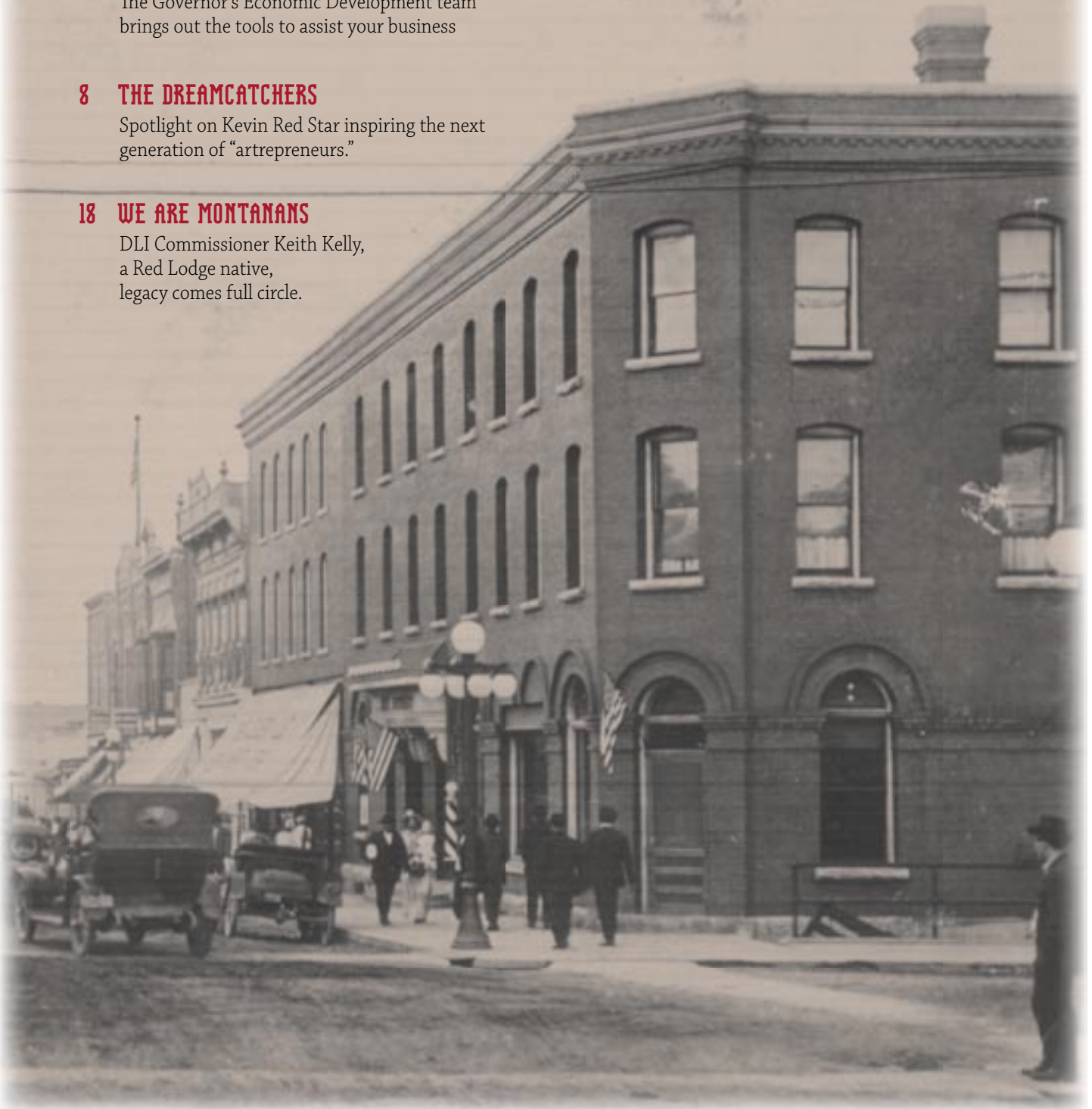
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DLI Commissioner Keith Kelly, a Red Lodge native, legacy comes full circle.





Welcome to the newly revised **Main Street Montana**, a magazine celebrating the evolution of business development in the Treasure State. In this issue you will uncover little gems of information from the various divisions within the **Department of Labor and Industry** to assist you in maximizing your business potential.

We begin anew by reflecting back. In rediscovering Montana we unlock the doors to challenges that aren't unlike the challenges we face today. We, as Montanans, struggle to find new and inventive ways to create economic opportunities so that our children will not leave Montana to find work in other states.

We seek ways of reinventing our communities, our industries and ourselves, which sometimes require the assistance of non-residents. Such is the case with my hometown of Red Lodge, which was primarily considered a coal miner's destination from the late 1800s to the mid 1940s. Through extraordinary perseverance and dedication, Red Lodge has become a thriving business community, and scarcely reveals the scars of a town that once struggled to redefine itself.

As we highlight the successes of Red Lodge, I hope that you find yourself dreaming of the possibilities for your hometown and reflecting upon how far you have come. I hope you are motivated to share your opinions, vocalize your needs and relate your stories of lessons learned and incredible triumphs. We have designated an e-mail address of MainStreet@mt.gov for this very purpose.

It is vitally important that we take a proactive role in redefining business opportunities for our communities. We must actively look forward to a brighter future, even when we are reflecting back on how far we've come. In looking back and facing forward be mindful of the words of John Lubbock: "What we see depends largely on what we look for."

Keith Kelly

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Front cover photo credit:
Carbon County Historical Society, Red Lodge 1920

Inside and Back cover photo credit:
Donnie Sexton, Travel Montana, Dept. of Commerce



The Governor's Office of Economic Opportunity serves to advise the governor on policy issues related to economic development; lead the state's business recruitment, retention, expansion, and start-up efforts; and serve as the state's primary economic development liaison between federal, state, and local agencies, Montana tribal governments, private nonprofit economic development organizations and the private sector.

The Workforce Services Division (WSD) provides all Montanans with access to a free labor exchange system, comprised of Internet resources and a network of local Workforce Centers, providing assistance to job seekers and employers who need to fill jobs in-state and nationwide; administers registered apprenticeship and training programs; offers assistance to individuals receiving unemployment benefits; and collects and disseminates labor market information and employment statistics.



The Unemployment Insurance Division (UID) provides technical assistance and guidance to unemployed workers and employers to process and pay benefit claims and file quarterly wage reports in an accurate, efficient and timely manner. Unemployment Insurance is financed by employers and held in trust for workers when they are unemployed through no fault of their own.

The Employment Relations Division (ERD) provides education and technical assistance to employers in understanding and complying with state labor laws. The division works to deter and resolve disputes encountered in the employer-employee relationship, such as issues involving workers' compensation, workplace safety and health, human rights, wage and hour, prevailing wage, and public sector collective bargaining.



The Business Standards Division (BSD) adopts and enforces minimum building, plumbing, mechanical, electrical, energy, elevator and boiler codes for use throughout Montana; approves and certifies local government code enforcement programs; and consists of four bureaus: Building Codes Bureau, Business and Occupational Licensing Bureau, Health Care Licensing Bureau and Weights and Measures Bureau.

The Governor's Office of Community Service (OCS) is a diverse, non-partisan, Governor-appointed body representing a broad cross-section of community service interests and statewide leadership. OCS seeks to renew the ethic of civic responsibility by encouraging citizens of all ages and backgrounds to engage in service; involving youth in the life and work of communities; and expand service opportunities in Montana.



Editor, **Michelle Robinson**, is the Director of Communications for the DLI Commissioner's Office.



CULTIVATING THE ECONOMIC GARDEN

Author: Emily Sirota

You may have heard it's a new day in Montana.

Governor Schweitzer has been very busy developing new and creative ways to grow Montana's economy. The Governor has been traveling the state and the country marketing the many opportunities Montana holds. He has heard from many of you about the challenges you face in today's economy, and since coming into office he has been putting many of your ideas to work.



Evan Barrett

The 2005 legislative session was the most successful session in recent years for economic development. Many new tools were put in place to assist business owners in starting and expanding their businesses. As Governor Schweitzer has said many a time, "Small businesses are the engine of our economy." He is constantly looking to make the ground more fertile for entrepreneurs with the vision and the drive to live and work in Montana. "After all," said Governor Schweitzer, "there is no better place to start and grow a small business, raise a family and build a community than the Treasure State."

As a soil scientist, Governor Schweitzer knows that you don't get a good crop without a lot of contributing factors. You need good soil with lots of vitamins and minerals, you need the right balance of sunshine and rain, and you need a lot of hard labor to make those crops healthy and strong. Well, it's not so different when trying to grow the economy, and Governor Schweitzer is doing all he can to make sure conditions are ripe for a good crop of healthy businesses.

By creating new financial assistance tools; developing a program to allow small businesses to provide health insurance for themselves and their employees; bringing in new sources of capital; capturing a talented staff with some of the best and brightest minds in the business; and much, much more; Governor Schweitzer is setting the conditions to grow Montana's economy into the healthiest crop of businesses Montana has seen yet.

Among this new group of folks helping the Governor cultivate our business community, there are a couple of important people you should know: **Evan Barrett** is the Chief Business Development Officer heading the Governor's Office of Economic Opportunity and **Tony Preite** is the Director of the Department of Commerce.

Together, with the vast network of public and private individuals, Evan and Tony are working to grow the Montana economy.



Tony Preite

There are many tools available to you, as a business owner, of which you may not be aware. There are a variety of grant and technical assistance programs that are administered through the Department of Commerce that may be able to assist you in creating new working capital, purchasing new equipment, or investing in job training, just to use a few examples. The Governor worked with the 2005 legislature to enact a new program that will allow small businesses to pool together and receive tax credits or premium assistance to provide health insurance for themselves and their employees. A brand new Economic Development Trust Fund was established to generate about \$1.3 million in the first year to be invested in developing businesses in Montana.

It is a very exciting time in Montana, and with all of the resources, both monetary and human, available to you, Governor Schweitzer hopes that you will call on him and his staff with your ideas and tell them what they can do for you. The Governor's Office of Economic Opportunity is available to you, to point you in the direction you need to go, as a gateway to the many resources available to you throughout state government. Additionally, there are folks out there in your communities all working with the same goal in mind—grow Montana's business community. There are local and regional development officials just a phone call or an email away, ready to assist you on a new project or idea you may have. If you do not know who your local and regional officials are, the Governor's Office of Economic Opportunity can help you find them. All you have to do is pick up the phone.

To reach Evan Barrett's office, call (406) 444-5634 or toll free at 866-442-4968. For more information or assistance from the Department of Commerce with Tony Preite, call (406) 841-2732 or log on to www.mtfinanceonline.com to connect to the Business Resource Division. Montana is bursting with potential, and these folks are here to see that potential cultivated and nurtured into a garden of economic prosperity.

CREATING COMMUNITY IN THE ROCKIES

Authors: Margaret MacDonald & Shannon Stober

*Marianne Williamson once said, "In every community there is work to be done.
In every nation there are wounds to heal. In every heart there is the power to do it."*

Please join the Governor's Office of Community Service October 3rd in Missoula as we celebrate a day of "Creating Community in the Rockies," the 2005 Governor's Conference on Civic Engagement. An awards banquet will follow, honoring the extraordinary endeavors of diverse organizations and individuals of all ages who, through their dedication and commitment to community service and volunteerism, have enhanced civic life in Montana and embodied the true spirit of civic engagement. Montana historian and nationally recognized speaker Hal J. Stearns will share "Profiles in Montana Community Courage" at the banquet.

Creating Community in the Rockies invites participants to reflect more deeply on the kinds of leadership and civic elements that make communities thrive in the region.

Bruce Whittenberg of Leadership Montana, Mark Sherouse from the Montana Committee for the Humanities, Tracy McDonald of Salish-Kootenai College, Jim Strauss of the Great Falls Tribune, Marvin Granger of Yellowstone Public Radio, Judy Edwards of the Montana Consensus Council and others will participate.

At the conclusion of the day, Governor Brian Schweitzer will join in as we show-case Montanans who are practicing the art of civic engagement and creating communities that sustain and support community service, nurture citizenship among their youngest members, grapple constructively with the difficult and divisive issues and face the challenges of rapid economic growth or steady economic decline.



Governor's Conference on Civic Engagement

Monday, October 3, 2005

Double Tree Hotel, 100 Madison Street
Missoula, MT 59802

Conference from 10:00 am to 5:15 pm
Cost: \$25.00 (includes lunch)

Awards Banquet begins at 6:30 pm
Cost: \$25.00

For individuals registering for both the
conference and the awards dinner, the cost is \$45.00

For more information call 444-1391 or to register,
log onto www.mt.gov/mcsn

MONTANA CONSERVATION CORPS- PLACING TOOLS FOR LIFE IN THE HANDS OF YOUNG PEOPLE

Author: Jono McKinney, MCC Executive Director

When a powerful spring snow-storm buried the Beartooth Nature Center in Red Lodge, center staff struggled to provide the needed care for the animals and allow visitors safe access to the facility. Center director Ruth Brown called upon the Montana Conservation Corps (MCC) for assistance.

Under the watchful eye of bears, mountain lions, and eagles, the MCC crew from Billings transformed itself into a human snow blower and made short work of the trail clearing, enjoying a little natural history learning along the way. During the summer, MCC crews returned to the Nature Center to paint facilities and plant trees on the premises. "A great crew of kids who were pleasant and did everything we asked," commented Brown. Also in the Red Lodge area, MCC crews have constructed a trail from the downtown up to the rim above town. In the Beartooth Mountains above the town, MCC is involved nearly every summer in building and maintaining trails that provide access for fishermen, day-hikers, horse packers, and backpackers attracted to the rugged and isolated Absaroka-Beartooth Wilderness.

Montana Conservation Corps is the state's largest and oldest AmeriCorps national service program. With a grant from the Corporation for National and Community Service that is administered through the Governor's Office of Community Service, a division under the Department of Labor, MCC converts federal grant monies into sweat and muscle power working on diverse conservation and community projects across Montana. Contributions from project sponsors mean that MCC doubles the value of every federal grant dollar in terms of economic benefits in the state, even as it develops a future workforce. MCC crews are based in Billings, Bozeman, Great Falls, Helena, Kalispell, and Missoula.

In the process of getting things done for Montana, this nonprofit helps over 200 young people develop the job skills, work ethic, leadership competencies, teamwork abilities, and service values that make them contributing citizens



in our communities. Much as President Franklin Roosevelt's Civilian Conservation Corps of the 1930s lifted a generation of young men from the Depression, building in them the character they would need to serve their country during World War II, the greatest legacy of the Montana Conservation Corps

may be a generation of young people with a deep rooted appreciation for their ability to accomplish even the most demanding tasks and to make a difference in their community through volunteer service, hard work, and community involvement.

MCC works with over 150 project sponsors each year, ranging from the state and federal land management agencies, to small community organizations. In any given year, MCC projects include building and maintaining recreational trails, improving wildlife habitat through weed removal, fencing, and tree planting projects,

repairing or building homes and structures for community organizations, creating defensible space through wildfire fuels reduction activities, and preparing and delivering meals for seniors.

Program Director Lee Gault likens the organization to a Swiss army knife. "We're a versatile tool, ready to work" says Gault. "We're looking for meaningful, challenging projects that have a positive and lasting impact for the communities and environment of Montana. Such projects, linked with education provided by project sponsors and also implemented by crew leaders, ensure a setting in which youth learn practical skills, develop a service ethic, and become knowledgeable about the environment and communities, and their role in these places." Typical MCC AmeriCorps members are in their young twenties, but a summer program, MontanaYES (Youth Engaged in Service), involves teens in local conservation and community efforts.

For more information about the Montana Conservation Corps, call (406) 587-4475, or visit www.mtcorps.org.

The greatest legacy of the Montana Conservation Corps may be a generation of young people with a deep rooted appreciation for their ability to accomplish even the most demanding tasks and to make a difference in their community through volunteer service, hard work, and community involvement.

INSPIRING THE NEXT GENERATION



Kevin Red Star doesn't remember a time when he wasn't interested in art. As a child, growing up on the Crow Indian reservation, he was often found drawing on any surface he could get his hands on, which primarily consisted of the exterior cover of his school notebook. He attributes his success today to the encouragement he received from his beadwork artist mother, Amy Bright Wings, and his art collector father, Wallace Red Star Sr. (Old Man Eagle).

As Kevin advanced through Lodge Grass School, his artistic technique continued to gain the respect of his peers and teaching staff. Kevin was often found designing backdrops for all of the local school plays whether on or off the reservation. However, his moment of national exposure would occur during an artisan traveling show in Europe and Hong Kong.

"It was always his portraits that stood out amongst the crowd, even though he was only 17 at that time," said Gallery Director and daughter, Merida Red Star. "He embraced other artists' philosophies such as Rauschenberg's theory that there should be 'no barriers in art', but did not emulate any particular artist." As Merida recalls, "Daddy thrives as an artist precisely because his style was, and still is, uniquely his own."

Shortly before graduating from Lodge Grass High School, Kevin received notice that he was one of 150 aspiring Native American artists from across the nation selected to attend an experimental two-year Native American school in Santa Fe, New Mexico. The four-year academy would eventually become what we know today as the Institute of American Indian Arts.

Ironically, after being accepted to the Institute, he would receive some disturbing news: a large portion of his high school credits was not transferable. Kevin would spend the next two years completing his high school curriculum and earn a valid high school diploma at age 20, while concurrently developing his craft at the Institute.

Less than three years later, having graduated from the Institute, Kevin was packing his bags and heading for the west coast on a scholarship to the San Francisco Art Institute. As a freshman, he was awarded the Governor's Trophy and the Al and Helen Baker Award from the Scottsdale National Indian Arts Exhibition.

www.kevinredstar.com

Author: Michelle Robinson

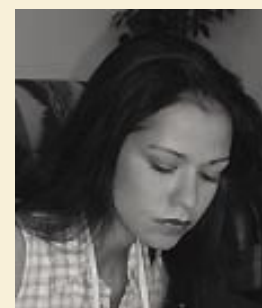
Feeling the need to reconnect with his roots, Kevin returned to Montana where he continued his studies at Montana State University in Bozeman and Eastern Montana College in Billings. In 1990, Kevin opened the Merida Gallery in Red Lodge.

The Merida Gallery, named after his eldest daughter, would officially become the Kevin Red Star Gallery in 1997 with Merida acting as the gallery's director. However, as Kevin matured into an internationally acclaimed Northern Plains fine artist, it became clear that the Red Lodge store front did not provide the space required for Kevin to create.

After 10 years of residing in Red Lodge, Kevin moved to Roberts, expanding his studio into a 6,000 square foot facility with 2,000 square feet devoted to his working studio and 1,000 square feet to exhibit his and five other artists works. Additionally, he added another 3,000 square feet as private residence and adjacent guest quarters for visiting artists to reside.

The relocation gave Kevin the privacy he needed to create and prepare for gallery showings, such as the recent exhibition at the Yellowstone Art Museum in Billings. Additional museums to showcase some of Kevin's original works in their permanent collections include the Smithsonian Institute; the Institute of American Indian Art; the Denver Art Museum; the Heard Museum in Phoenix; the Pierre Cardin Collection in Paris; the Eiteljorg Museum of American Indian and Western Art in Indianapolis; and various museums in Belgium, China, Germany, and Japan. Most recently, Kevin's work was the subject of an exhibition at the Whitney Museum of Western Art in Cody, Wyoming.

Today, Merida thinks the Red Star Gallery needs a home back in Red Lodge to complement their online web advertising. "Word of mouth has always been our best and most efficient means of advertising the Red Star name. People come to Red Lodge to meet Kevin." As early as mid-July, Merida was in negotiations for a store front located across the street from the Pollard Hotel.



Sunny Sky following in her father's steps.

With Kevin dedicating most of his time to traveling and creating, it is not very often that visitors get a chance to meet with the artist; however, when they do, they are most amazed by his gentle demeanor. For those who have had the good fortune to meet the man behind the intensely brilliant canvas, Kevin is a soft-spoken, humble, and kind man without arrogance or conceit.

An art collector visiting his gallery commented, "He is among the Masters and will, during his life, enjoy his status as such."

Part of Kevin's mission is to act as a positive role model and provide inspiration for aspiring Native American artists. However, his message of hope crosses racial borders. Recently, at a high school graduation in Billings,

Kevin was quoted as saying, "Don't be ashamed of your dreams or aspirations...Go for it!" Followed by: "The best thing you can do is to continue to educate yourself and your children," acknowledging that he, himself, is a continual student to his work.

When Kevin is not showing or creating his work, he can be found participating in community fundraisers, guest speaking at high school graduations, and living a good life as a husband and father.

The Red Star Gallery brings both Kevin's passion for art and his love for family together.

Kevin has four children. Coyote, his eldest son, has a natural bond with horses and is known for his amazing gift of modern day horse whispering. Jennifer, his middle daughter, attends Montana State University Billings, where she is studying to be a nurse, but still carves out time in her busy schedule to work summer promotions and gallery exhibits. His youngest daughter, Sunny Sky, is following in her dad's footsteps with her colorful and artful acrylic expressions, while his eldest daughter, Merida, is the glue that keeps the business side together.

When asked about typical guest questions, Merida laughed, "Primarily they want to know if the man that creates Native images is really Indian."

OF ARTREPRENEURS

LEGISLATIVE UPDATE

WILD CHANGES IN INDEPENDENT CONTRACTOR PROGRAM

Author: Wade Wilkison

Based on over a year of research, discussions and committee recommendations on how to deal with the impact of the Supreme Court's Wild vs Fregein decision, the 2005 Montana Legislature strengthened our state's independent contractor (IC) statutes. Senate Bill 108 became effective on April 28, 2005, and its associated statutes clarify who is actually operating as an IC.

Research findings used to write the new IC statutes identified Montana as having the highest percentage (eight percent) of independent contractors as a portion of the state workforce of any state that registers independent contractors.

During the public hearings on IC rules, several business owners talked about the problems created by a process that was too relaxed in the way it issued IC exemption certificates, pitting the contract bids of employers who were properly covered with workers' compensation insurance against the contract bids of others not properly covered, but who thereby had an unfair competitive advantage. These kinds of issues should be resolved by the Legislature's new IC law.

Important Elements of the new IC Law

The law now requires that independent contractors either have the exemption certificate or purchase workers' compensation insurance coverage on themselves. Failure to obtain the exemption certificate or workers' compensation insurance will result in the state treating the worker as an employee of the hiring agent. Hiring agents will be responsible for claims for injuries, or occupational diseases, and for payment of premium on the wages of those considered their employees.

To be conclusively presumed to be an independent contractor, the Department of Labor & Industry (DLI) must approve an application for an IC exemption certificate based upon a submission of a complete application after April 28, 2005, and the person must be working under the IC exemption certificate.

The new law states that a "Person" means a sole proprietor, a working member of a partnership, a working member of a limited liability partnership, or a working member of a member-managed limited liability company. To be "working under" an IC exemption certificate, the worker must be performing the type of work listed on the certificate and the hiring agent and the independent contractor must not have a written or an oral agreement that the independent contractor's certificate holder's status is that of an employee.

The Department has the authority to investigate the working relationship between an independent contractor and his/her hiring agent. The Department may suspend or revoke an independent contractor exemption certificate. Fines may be assessed against the hiring agent if control is exerted to the extent it creates an employer/employee relationship.

IC certificate holders are required to keep the information on their certificate current. For more information about these changes, please refer to our website at www.mtcontractor.com.



The Wild Decision

The Montana Supreme Court, in its 2003 decision Kelly Wild vs Fregein Construction, significantly changed the status of independent contractor (IC) exemptions that have been issued by the Montana Department of Labor since 1984. Until 2003, IC exemptions from workers' compensation insurance were considered to be conclusive, that is to say, legally determining, in cases of injury and other liability issues. Put another way, if you as an IC had an exemption document, you were personally liable for any accidents you were involved in, and in contrast those who employed you were free of liability. With the Supreme Court decision in 2003, however, suddenly IC liability became a much broader and more complex legal issue. So the 2003 Montana Legislature established a study committee through Senate Bill 270 to recommend ways to clarify IC relationships and thereby minimize litigation. By creating a strengthened set of new IC laws, the 2005 Montana Legislature has re-established the conclusive status of the IC exemption certificate.

The AB Test

How can you tell if an individual is an independent contractor (IC) or an employee? An IC is a worker who has the IC exemption certificate and meets the following conditions when he or she renders service in the course of an occupation: he or she (A) has been and will continue to be free from control or direction over the performance of the services, both under contract and in fact; and (B) is engaged in an independently established trade, occupation, profession or business, and further acknowledges no coverage under the Workers' Compensation and Occupational Disease Act. To obtain the IC exemption certificate, each applicant needs to supply sufficient documentation to the Department so that B requirements are satisfied. Through monitoring and auditing, the Department determines that A requirements are satisfied. This two-pronged determination of IC status is commonly referred to as the AB test. The 2005 Legislature strengthened and clarified the process for determining how individuals are measured by the AB test, including putting in place an objective point system to rank the individual business components of IC applicants. The AB test is more objective, specific and documented, and the new IC law also specifically re-establishes the conclusive status of the IC exemption certificate.



PREVENTING HARASSMENT IN THE WORKPLACE

Author: Deb Lopuch

Earlier this year, the Human Rights Bureau partnered with local Job Service Workforce Center Business Advocates to develop a training workshop entitled, "Harassment in the Work Place". The workshop is designed to communicate to employers what constitutes illegal harassment and the necessary steps to prevent illegal harassment from occurring in the workplace.

Education to deter illegal harassment from occurring will save employers valuable time, money and make for a healthier work environment for your employees, benefits that may potentially lead to less employee turnover.

Additionally, the Human Rights team presents a workshop on basic human rights issues and guidelines for employers at the Assistance for Business Clinics. Check out the Events Calendar in this issue.

To find out more on both "Harassment in the Work Place", and the 2005 Assistance for Business Clinics, contact your local Job Service Workforce Center, see the events calendar in this issue, or visit the Training section on the Human Rights Bureau website at www.montanadiscrimination.com.

MONTANA OCCUPATIONAL SAFETY/HEALTH TRAINING INSTITUTE

Author: Wade Wilkison

The Montana Occupational Safety & Health Training Institute provides basic and advanced training courses in safety and health. Course subject matter includes hazard recognition, state and federal policies and standards, and hazard abatement techniques. Courses are designed to build a more effective workforce and to aid in professional development for Montana employers and employees. Course instructions are held on dates, times and locations as posted on the events calendar in the back of this publication.

Registration for courses can be made electronically or by submitting a completed registration form to the Montana Department of Labor & Industry, Occupational Safety & Health Bureau, P.O. Box 1728, Helena, MT 59624-1728 and received no later than 14 days prior to the course starting date. For registration applications call (406) 444-6401 or visit erd.dli.mt.gov/safetyhealth/traininst/trnginstinfo.asp

Course confirmation inquiries may be conducted by calling the same number. The Institute's training courses are provided at no cost. All other expenses, including travel, lodging and meals, are the responsibility of the student.

Check out our calendar of events on page 27 for dates and locations.

WOW-ING EMPLOYERS

Authors: Sandy Bay & Lauren Wing

WARP on the Web (WOW), Montana's online program for reporting Unemployment Insurance tax and wage information, has been revamped and became available for use on June 30, 2005.

According to UI's computer support technician April Rose, WOW is now Windows XP compatible and can be used with Internet Explorer, Netscape 7, Firefox and AOL Internet browsers.

With WOW, employers can log on and submit quarterly report information to the UI Contributions Bureau. Once employees' names and social security numbers are entered, all an employer must do each quarter is update wages and add any new employees. Excess wages, taxable wages and tax due are calculated automatically.

It's easy, according to Denise Brown of Red Lodge Electric Company. "I just wanted to say how relieved, thankful and happy I am that you were able to implement a new program for filing UI wages. It was easy, fast to use and only took me 10-minutes to complete as opposed to 3-hours. No lie. Amazing!"

UI Administrator Roy Mulvaney affirmed, "WOW saves both employers and the state time and money with less paperwork, postage, and manual re-entry of information."

WOW also offers an option for making online payments using ACH debit. ACH debit is a method of electronic payment where an employer authorizes the Department of Labor and Industry to have the State's bank initiate an electronic transfer of funds from the employer's bank account. The WOW application is secure. It uses Secure Socket Layer (SSL/HTTPS) and 128-bit encryption so confidential information can be safely transferred over the Internet.

For more information on WOW, call (406) 444-6963 or visit uid.dli.mt.gov/warp/warpcontent.htm.



UI4U - NEW INTERNET SERVICE FOR WORKERS

Author: Joanne Loughney-Finstad

The Montana Unemployment Insurance Division recently took a giant leap forward in customer service. Unemployed workers can now file for unemployment insurance benefits through the Internet. For new and qualifying applicants it's easy to log onto ui4u.mt.gov.

Unemployment Insurance for You or the more recognized, UI4U, allows workers to securely file unemployment claims and enter detailed fact finding based on sophisticated question trees. The question trees assist in speeding up the eligibility determination process.

Some of the more exciting features of the new program include our most popular feature: a status screen, where a claimant can see the date a benefit check was issued and view the remaining balance of their claim. Currently, more than 8,000 claimants have reviewed their claim status and payment information.

The UI4U service also provides secure access to IRS 1099 tax information and allows customers the ability to update their personal information such as mailing address.

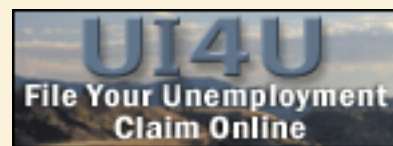
"With the introduction of UI4U, Montana is continuing its quest to provide convenient, timely access to government services for the citizens of the state. Unemployed workers have desired an online capability to file their unemployment claims and we have responded to that call," said Governor Brian Schweitzer.

UI has a large impact in local communities such as Red Lodge. In 2004, 571 individuals filed for benefits in Carbon County and received \$719,329. Economists estimate that the actual economic impact of these benefits is two to three times that amount (\$2.2 million) because the money is spent at the local grocery store, drug store, or gas station for basic needs.

Statewide, 57,622 citizens filed for benefits and the eligible individuals received \$81,751,494 in UI benefits.

More than 24 percent of claimants are currently filing online rather than by the traditional means of telephone. Additionally, more than 15 percent are filing their weekly certifications online. Since January, 44 people have filed claims and 116 people are filing their weekly claims online in Carbon County. One claimant stated, "This is the first time ever filing unemployment... it's extremely easy to do... and the site is easy to find."

To apply for unemployment insurance log onto ui4u.mt.gov. Simply click on the UI4U icon.



SEVEN WAYS TO SAVE

Author: Margaret Ore

William Penn and Earl Wilson were wise. Penn said, "Time is what we want most, but...what we use worst," and Wilson said, "Money in the bank is like toothpaste in the tube. Easy to take out, hard to put back."

In business, it's imperative to evaluate fixed and variable costs. Here are seven cost benefits that may potentially save your business time and money in maintaining your Unemployment Insurance (UI) account:



1. **Be proactive.** Observe all response timelines on notices. If you miss a deadline, you may miss out on your appeal rights.
2. **Reach out.** Use fax or telephone to respond to information requests on UI claims.
3. **Follow through.** If you use an employer's representative be sure to monitor response times and follow up on information requests to ensure you are getting your money's worth from your representative.
4. **Get organized.** Submit all pertinent information on claims the first time around, rather than at the appeals level. A fair decision the first time is significantly less expensive (both monetarily and hours invested) than a hearing.
5. **Expedite processes.** If you want tax forms sent to an alternate address other than the address noted for your benefits paperwork, let us know. Your accountant can continue to respond to tax notices, while you answer claim requests.
6. **Prevent unnecessary expenses.** Report new hires promptly to the State Directory of New Hire (1-888-866-0327 or online at www.mt.gov/revenue). This ensures that employees who start new jobs don't continue to claim UI benefits.
7. **Be compliant.** Make sure you have your required employee posters by calling your local Workforce Services office. There is no cost to you.

Additionally, one significant cost factor that you can directly affect is the charging experience for your business UI account. Whether the businessperson does this individually, or employs an accountant or representative, these general rules will assist in keeping costs down. Efficiencies on the side of the employer assist the Unemployment Insurance Division in making fair decisions in a timely manner.

For additional information on the services available to you check out the UI website at www.uid.dli.mt.gov.

UNEMPLOYMENT INSURANCE TAX - ONE YEAR LATER

Author: Sandy Bay

The Unemployment Insurance Tax program was returned to the Department of Labor and Industry in July 2004, with the passing of Senate Bill 271, sponsored by Senator Corey Stapleton of Billings.



"The Unemployment Insurance (UI) Division has undertaken some significant challenges to institute a new computer program and refurbish an older automated system. These changes are already resulting in significantly improved accuracy, timeliness and service for our Montana business customers," said Labor Commissioner Keith Kelly.

The new computer software successfully accepted converted data from the Department of Revenue and expedited the process of mailing quarterly reports, tax rate notices, statements and other pertinent documents to employers.

"The first year of unemployment insurance tax operations has been extremely smooth," said UI Administrator Roy Mulvaney. "The UI Division staff has really gone the extra mile to incorporate the UI tax operations into the division, completing implementation six months ahead of schedule with as little disruption to employers as possible."

The Department also enhanced the unemployment insurance tax information and applications on the Internet. UI is continually looking for ways to better serve your business needs for unemployment insurance tax obligations. Please feel free to share your experience with our new systems and ways we can improve our delivery. You may write or call us at: Unemployment Insurance Division, Contributions Bureau, PO Box 6339, Helena, MT, 59604-6339; e-mail: anbausch@mt.gov; phone (406) 444-3834.

Please visit www.uid.dli.mt.gov for more information about the unemployment insurance tax program.



Roy Mulvaney
UI Administrator

TOP 10 PRIVATE EMPLOYERS

Red Lodge Pizza Company



Rock Creek Resort



Bridge Creek



Yellowstone Furniture & Manufacturing Company
Not pictured

Cedar Wood Villa



Red Lodge Mountain Resort



The Pollard Hotel



Beartooth Hospital and Health Center



IN CARBON COUNTY



CARBON COUNTY AT A GLIMPSE

Author: Brad Eldredge

Total population: 9,755
(US Census, 2004)

Median age: 41.9 (Census, 2000)

Median household income:
\$33,644 (Census, 2002)

Average unemployment rate: 3.9%
(BLS LAUS program, 2004)

Top five industries in terms of
employment:

- 1) Food Service and Drinking Places
- 2) Educational Services (not including private school)
- 3) Accommodations
- 4) Executive, Legislative and other General Government Support
- 5) Amusement, Gambling and Recreation

For information on employment by industry, new businesses, labor market information, job projections, and hourly pay by occupation visit www.ourfactsyourfuture.org.

Or call the Montana Department of Labor and Industry's Research and Analysis Bureau (406) 444-2638, or mail: P.O. Box 1728, Helena, MT 59624.

TOP 10 PRIVATE EMPLOYERS IN CARBON COUNTY

Beartooth Hospital and Health Center

Beartooth Hospital and Health Center is one of the largest private employers in Carbon County, providing over 130 jobs (on-location and outreach). The rural-based, community-owned Critical Access Hospital grew from humble beginnings in 1950 and now boasts a 30-bed, long-term care rehabilitation center (physical, speech, occupational and cardio-pulmonary rehab); county-wide home-health and hospice programs; outpatient surgical center, lab and radiology department to complement the emergency room; and the only licensed daycare and preschool, serving in excess of 100 youth.

“Sometimes people tend to overlook their hometown delivery systems for the offerings of the big city health care providers,” said Chief Executive Officer Kelley Evans. However, once community members get a sampling of the services they keep returning. “We work hard at keeping our patients’ needs at the forefront. We have an incredible wealth of invested, caring employees and physicians that never let the quality of the patients care suffer because of lack of finances.”

Beartooth relies on Medicare and Medicaid reimbursement, as well as fees for services rendered, and does not receive any tax dollars from the community or special government funding. Fundraising is a significant part of maintaining services to the community residents and visitors. Looking for a solid investment for your next charitable donation? Consider Beartooth Hospital and Health Center (www.beartoothhospital.org) where your monetary investment results in human life gains.

Beartooth IGA

Former Safeway manager Milt Bastian relocated his family from Billings, Montana after purchasing a 3,750 square foot Safeway grocery store in Red Lodge in 1979. Milt renamed the store Beartooth Food Farm and opened up the doors to two invested partners, his sons, Rod and Scott. Over the years, Bastian groomed and expanded the business, acquiring adjacent buildings.

The Bastian family quickly purchased their competitor’s 11,000 square foot facility in 1996 and substantially grew in size by acquiring adjacent buildings. It was during this time the Bastians renamed the Beartooth Food Farm the Beartooth IGA. Today this family business employs 26 full time workers and 12 part-time workers, has grown to nearly 20,000 square feet, and is nationally recognized in the top 10% of IGA’s in the United States (out of approximately 1,600 providers) for quality product, superior customer service, cleanliness and product placement in a facility that received their eighth 5-star rating.

“Corporations are in this business to make money because they have stockholders to answer to,” said Rod. “Independent grocers are in it for a whole different reason. Part of it is the community commitment, because you definitely become a very important factor in the community you serve.” Rod’s philosophy mirrors that of his father. Milt accepts his accolades with pride, stating, “Receiving IGA’s top rating speaks volumes about the level of commitment we have to our hometown customers.”

Bogart’s Restaurant

Owners Jodie and Judy Christensen transformed Bogart’s Pizza of 1975 to Bogart’s Restaurant in 1984 and serve a variety of Montana sized portions of authentic Mexican food, homemade pizza, and hamburgers. Known as a local “hot spot”, visitors and locals have been known to wait up to an hour for Bogart’s fine foods and their famous margaritas...all served with a side dish of superior customer service.

“We’ve had the same cook for the last 19 years,” said Christensen. “Our employees are invested in the business because we make it our business to hire great employees, work beside them, and share the successes with them.”

In peak season, Bogart’s employs 27 full time workers and 13 part-time for walk-in dining in an 84 seat capacity dining room. Sorry, no delivery, but you are welcome to visit anytime without waiting in a queue by logging onto www.redlodge.com.

Bridge Creek Backcountry Kitchen and Wine Bar

Owners Peter and Anne Christ opened their doors in 1997 just off Main Street, but soon discovered they were turning away more people than they were serving in their 1,500 sq. ft. facility. In May of 2000, the Christs moved Bridge Creek to a newly built 10,000 sq. ft. restaurant, banquet room and lounge where they presently accommodate up to 270 guests in all rooms combined.

According to Christ, “We specialize in steaks and seafood, but our success is in listening to the market.” When asked the secret ingredient to keeping them coming back, Peter quickly replied, “Giving customers what they want and surrounding them with employees that will treat them like family. Plus, it doesn’t hurt to add in an award winning wine list.”

Bridge Creek employs 25 full time workers and 25 part-time staff during peak season. To get a sneak peek of what’s on the menu, check out www.eatfooddrinkwine.com.

Cedar Wood Villa

Will and Mary Ellen Lantis purchased their first long-term care facility in Bridgeport, Nebraska in 1972. The Lantis’ wanted to ensure that each person requiring a “home away from home” would be treated with kindness, dignity and respect. Thirty-three years later, Cedar Wood Villa is one facility out of 21 Lantis long-term care centers, 6 Alzheimers units, 3 personal care/assisted living centers, and 8 home health agencies that now operate from Lantis corporate headquarters in Spearfish. The Lantis family provides employment to 42 full-time professionals and nearly 2,000 staff members throughout Montana and North Dakota.

“Cedar Wood is the perfect setting for rehabilitation and rest. Because we are a smaller facility we can provide more personal care for post-operative patients needing physical and occupational therapy, speech-language pathology as well as long-term care for aging adults suffering with Alzheimers,” said Andrea Graeber, R.N. and the Director of Nursing Services. “Our internal relations with co-workers transcends to our clients. When you care for one another like family then you can call yourself a true home.”

Cedar Wood Villa (www.lantisnet.com) employs 37 full time and 7 part time staff members.

Author: Michelle Robinson

The Pollard Hotel

The hotel that served Buffalo Bill, Calamity Jane and other western legends reopened in 1994 after a complete restoration by new owners David and Ann Knight. Known as the cornerstone of Red Lodge with its red brick structure, rich historic past and distinguished guest list the Pollard now boasts 39 exquisite guestrooms (a dozen with private Jacuzzis), a full service health club, two racquetball courts and a first-class, full service restaurant in this 112-year old classic, historical landmark.

“Our artistic success is largely attributed to the people we meet and surround ourselves with,” said David. “We were referred to Red Lodge by Fred Longan of Broken Diamond Books, contracted architectural services to Kirk Michels of Livingston to restore the Pollard, and now with the addition of General Manager George Cartwright we have high hopes for the Pollard and our staff of 30 full time employees.”

Under George’s leadership the staff has embarked on creating new memories for the Pollard; ones that exceed guest expectations by immersing you in a stellar atmosphere, filling your soul with the rich history of the area and of course topping it all off with a world-class dining experience. The only spirits in this historic landmark are the ones found in the lounge. Come see for yourself at www.pollardhotel.com.

Red Lodge Mountain Resort

Skiing enthusiasts from Billings eagerly began cutting the trails and officially opened Red Lodge Mountain in February 1960. By 1995 the US Forest Service approved the master plan for Red Lodge Mountain to increase in development. By 1997, Red Lodge Mountain had doubled its size of skiing terrain and introduced high-speed quads.

Recognized as a 4-season destination resort with its premier skiing trails and 1994 acquisition of the Red Lodge Country Club - 18-hole golf course and club house — Red Lodge Mountain Resort, www.redlodgemountain.com, serves up winter and summer recreational sports as well as hosting impressive private wedding receptions and special events.

“President’s Day weekend through the end of March is our peak,” said Chief Financial Officer Chip Vicary. “During peak season, we have nearly 200 full time and 40 part-time seasonal employees. Honestly, our employees are the glue that holds the place together.” According to Vicary, many of the seasonal full time workers are resort veterans having spent in excess of 15 years returning to the Mountain year after year. “The only people that return more than these die-hard workers are some of the original stakeholders, from 45-years ago, that keep coming back to ski the mountain.”

Red Lodge Pizza Company

Tom Kuntz found his way to Red Lodge from New York and hasn’t looked back since. Prior to acquiring the original Natali Italian Café and coffee house in 1996, Tom had a five-year career as the local assistant fire chief. After observing the market trends, Tom reorganized his establishments and reopened his 3-store front with Natali’s Front Bar, Carbon County Steakhouse, and The Red Lodge Pizza Company creating masterpiece pizzas in stone-lined deck ovens.



“When it comes to pizza we make everything from scratch, using raw ingredients such as fresh vegetables, preparing our own dough, grating blocks of cheese and creating our specialty sauces. Very little comes prepackaged,” said Tom. It’s this same level of investment Tom uses when he recruits for new employees. In peak season, the Pizza Company employees up to 45 full-time workers and 15-part-time staff to cover all three locations.

Tom shared his secrets to cashing in on the “dough” of the pizza business. First, there must be consistency of product, service and presentation. Secondly, he says it’s critical to find and hire good employees, “especially in a town where seasonal jobs are plentiful” and lastly “show the neighborhood and community you care by getting involved in local causes.” You can find Tom’s crew participating at events like the Taste of Red Lodge. If you can’t wait that long for a peek, check out www.redlodgepizzaco.com.

Rock Creek Resort

Owner Pepi Gramshammer, a former Olympic skier, and his wife Sheika from Innsbruck, Austria, had traveled each year in the 1960s to Rock Creek. Today, Rock Creek Resort hosts exquisite lodging in a self-contained resort specializing in hosting national and international conventions, weddings, banquets and more in their plush conference rooms, dining facilities and lounges.

“Our location and amenities keep our clients returning again and again. Pepi is very involved and supportive of our employees, splitting his time between Red Lodge and his other home of Vail,” said General Manager Aileen Stonebraker, who has devoted the last 25 years of her profession to Rock Creek and the Gramshammer family. “And I’m not the only long-term employee. There is a core group that started in the 1990s and we are all still here.”

Summer is peak season for hosting conventions at Rock Creek - keeping their 70 full time and 20 part time employees very busy. To book your next private party, convention, or getaway, visit www.rockcreekresort.com.

Yellowstone Furniture & Manufacturing Company

Mississippi transplants Danny and Sheila Posey began a life in Carbon County under former owner Jake Jabs in 1992. By 2003, the couple purchased Yellowstone Furniture and enhanced production of upholstered (fabric and leather) furniture. Today Yellowstone manufactures furniture for stores across Montana, Colorado, Wyoming, Arkansas, Tennessee, Missouri and Washington.

“Danny has been instrumental in bringing in new designs because of his incredible focus in the research and development phase,” said wife and co-owner, Sheila. “But it is our employees’ devotion to customer service that keep our service providers coming back.”

Recently, Sheila had to do the unthinkable...she had to lay off 17 full time workers, reducing their staff to 28 full-time employees. When asked why, she stated, “Across the board we are experiencing furniture manufacturing reductions due to the sudden increase in China imports/exports. China’s manufacturing is having a negative effect on furniture manufacturers across our nation.”

Check the label on your next purchase. Please continue to support our Made in Montana producers across the Treasure State.

WE ARE MONTANANS REFLECTIONS

My family settled in Red Lodge around the late 1800s, prior to the discovery of coal and the coming of the Northern Pacific Railway. My paternal grandmother, Nellie Duel, acquired a homestead along Red Lodge Creek. She was a strong pioneer woman who was known for exchanging goods and services with the Apsaalooke (Crow) peoples prior to the Tribe being displaced to the Bighorns and Pryor.

My grandfather, John Thomas Kelly, was a Missouri lineman, who had been sent to Red Lodge by the Rural Electrification Association to install telegraph line by way of the railway in 1882. The union of John and Nellie would birth one living son: my father, John T. Kelly. John would become a steadfast cattle and sheep rancher, and, together with my mother Florence Haugan, would eventually expand the Kelly homestead into the Emerald Ranch.

Given his history and dedication to the community, it seemed only natural that my grandfather would seek an active role in State politics. In his role as politician, he enjoyed success in each of his three political posts: as Carbon County Commissioner, where he demonstrated his devotion to the local economy; as head of Weights & Measures for the State; as an appointee to the Commissioner of Agriculture, Labor and Industry from 1939-1941; just two years prior to the Smith Mine disaster that devastated my hometown.

Now, roughly six decades later, I sit in the chair my grandfather once filled. In preserving the Kelly family legacy, I began my career in Agriculture, serving as director of the Montana Agriculture Department under the commanding leadership of former Governor Ted Schwinden (1983-1989). From there I moved to Arizona and continued my career as head of the Agriculture Department (1990-1997). Prior to my returning home, I was appointed as the national Administrator of the Farm Services Agency/United States Department of Agriculture under former President Bill Clinton (1997-2001) in Washington, DC.

At the conclusion of Clinton's term, I felt my "boots" yearn for my "roots" and returned to the great state of Montana where I joined Labor and Industry, under former Commissioner Wendy Keating, as the Administrator for the Unemployment Insurance Division (2002-2004).

On January 3, 2005 my good friend and transformational leader, Governor Brian Schweitzer, bestowed a great honor upon me by entrusting me with the appointment of Commissioner to ensure that the message of a "New Day in Montana" is explicitly related to the continuing development of services for Montana's workforce.

Today, as I sit at my desk overlooking our state's capital, I catch myself glimpsing at a photo of my grandfather hanging on my office wall. I wonder about this man, the "politician" as he was known in the family circle, and wish that I could have spent just five minutes with him to know his visions for the future. Without missing a beat, as I'm asking this very question, I quickly receive an answer. . .

I see my reflection in the framed glass.



THE BOOT ECONOMY ONE-SIZE DOES NOT FIT ALL

Author: Pam Watson

In a recent discussion with state legislators Governor Schweitzer shared his vision of Montana as several economies, where one size delivery system does not fit all. "Montana's not a single economy. We are at least two, maybe three economies within the crescent, or as I like to call it, the Cowboy Boot. The boot starts in the Flathead, goes down through Missoula, turns through the Gallatin and the toe is Billings. Within that part of Montana we have some of the most robust economic development anywhere in the country," said the Governor. Job creation in high growth, high demand, and high wage occupations is a priority of Governor Schweitzer. According to the Governor, "By promoting business and industries that provide living-wage jobs, we will keep our citizens living and working in Montana."

To realize the goal of creating a new day in Montana, we must develop policies and incentives to attract and retain business and industry in our state. "We can accomplish this," said Department of Labor and Industry Commissioner Keith Kelly, "by promoting the skills training that will be required for the occupations in new and expanding industries in Montana." Professional and occupational skills training is expected to be important in industries that include alternative energy, value added agriculture, natural resources, building trades, healthcare, and technology based fields including bioscience, information technology, and aerospace.

One of the many challenges to building our workforce will be to ensure workers have the necessary proficiency and desire to embrace the challenges of the new and emerging jobs that these industries will require over the next decade and beyond. The Department of Labor and Industry is working closely with the Department of Commerce, the Governor's Office of Economic Opportunity, and other partners to try to foresee what jobs are going to be in demand over the next ten years in high growth, high wage industries. By collaborating with education and training service providers, we can begin to take the steps necessary to ensure our citizens can get the training and skills they will need to be employed in high-skill, high paying jobs.



Photo credit: Zach Lipp



for collaborative partnerships. By collaborating we can foster an environment that bridges partnerships and builds strong community ties, addressing some of Montana's toughest social problems directly affecting people most in need.

Governor Schweitzer has tasked the State Workforce Investment Board with continual examination of the state workforce system to determine if improvements can be made in how we deliver services to our citizens, especially in areas that directly affect small or rural communities. They will also work to ensure that public funds are allocated in a manner that best represents the interests of businesses and citizens to create living-wage jobs. Lastly, the Board will be responsible for holding all partners in the system accountable for the work they provide.

We can be successful in realizing Governor Schweitzer's vision of improving the quality of life for all Montanans, in or outside of the boot economy, by building partnerships, preparing our workforce for the jobs that will be in demand, and by holding the programs that deliver services accountable.

THE ABC'S OF BUSINESS

Author: Christy Robbins

The State of Montana, in partnership, with local Chambers of Commerce and Job Service Employer Committees, is once again hosting the 2005 Assistance for Business Clinic (ABC).

ABC clinics are specifically developed to assist employers, accountants, bookkeepers and lawyers construct proactive approaches to prevent unnecessary claims and/or charges. Attendees of ABC's are provided with updates on reporting of state withholding, unemployment insurance tax requirements, minimum wage laws, overtime laws, civil rights law, and federal tax incentives as per any recent developments adopted during legislative sessions.

Employers will also have the opportunity share resolutions to common issues through networking and uncover the wealth of government systems ready to assist in your business needs. Each clinic provides helpful reference materials and Continuing Professional Education and/or Continuing Legal Education credits (CPE – 6.0 and CLE – 7.0).

You owe it to your business to join the Department of Labor & Industry's Wage and Hour Division, Unemployment Insurance Benefits Division, Unemployment Insurance Tax Division, Workforce Services Division, Human Rights Bureau and the Department of Revenue for these useful programs. If you're interested in attending one of the remaining 2005 clinics check out the ABC schedule in the Events Calendar section of this publication with sponsor contact numbers for your registration information.



BUSTING AN ECONOMIC DEVELOPMENT MYTH

Author: Tom Frisby, Billings Job Service Workforce Center

The Myth: Lots of money is spent to attract new businesses to Montana, but there is no help for local businesses in Carbon County.

Assistance for Carbon County businesses is alive and well. The Business Expansion And Retention program (BEAR) has expanded into Carbon County. What is the BEAR program and what do we do? The BEAR program is a collaborative partnership between private business and public agencies to strengthen existing businesses and assist entrepreneurs in starting their businesses. The BEAR network works to assist businesses with a variety of challenges they face.

The BEARs offer a multitude of services including: financing, marketing program development, government contracting, business and strategic plans, information technology assistance, human resource and personnel assistance, manufacturing consulting, organizational development and management consulting, web-site development and utility and energy audits.

Beartooth Regional Resource, Conservation & Development (RC&D) organization for Carbon County, is the lead contributor for the BEAR program in Carbon County. Other partners include Montana Department of Labor & Industry's Billings Job Service Workforce Center, Montana Department of Commerce and Northwestern Energy.

Confidentiality of individual business information is maintained. The aggregate data from Carbon County businesses will be used to assist in formulating solutions to challenges that face businesses as a whole.

If you would like more information on how the BEAR Program can assist your Carbon County business contact Betty Curry, Community Relations/Brownfields Coordinator, Beartooth RC&D Area Inc. (406) 962-3914.

Beartooth RC&D Area Inc. is a private nonprofit community and economic development organization, serving a five county area in the Billings area. While the organization is private, it is closely connected to the US Department of Agriculture inasmuch as the person in charge, called the "coordinator", is a USDA employee and the building and other support for the organization is paid for by the USDA.



SAVE MONEY ON REQUIRED WORKPLACE POSTERS

Author: Kathy Yankoff

It sounds ominous, doesn't it, to open an official looking envelope and read - "Compliance Is The Law...Don't Put Your Company At Risk!"

As you read the official looking "Compliance Assurance Questionnaire," you discover that you may have failed to meet "State of Montana and Federal Compliance Requirements" in properly posting your business. Fortunately for you, for only \$34.95- a cheaper price than the \$164.95 charged by another company - you can bring your business back into compliance, and avoid those looming penalties, by purchasing all the necessary posting documents.

Is it legal for companies to sell these posters?

Yes – direct mail entrepreneurs can charge you for these documents.

Do you have to purchase the posters?

No – you do not have to pay anyone \$164.95, or \$99.99, or \$34.95, or any amount for Montana or Federal posters for your workplace! You can get all required posting documents at no cost.

What posters are required?

Posters required by Federal law to be posted in worksites include:

- Equal Employment Opportunity
- Family Medical Leave Act (employers with 50 or more employees)
- Federal Minimum Wage (Fair Labor Standards Act)
- Job Safety and Health (OSHA)
- Polygraph Protection Act (does not apply to public employers)
- Uniformed Services Employment and Reemployment Rights Act (USERRA)

Postings required by Montana State law to be posted in worksites include:

- Proof of Unemployment Insurance Coverage
- Proof of Workers' Compensation Coverage

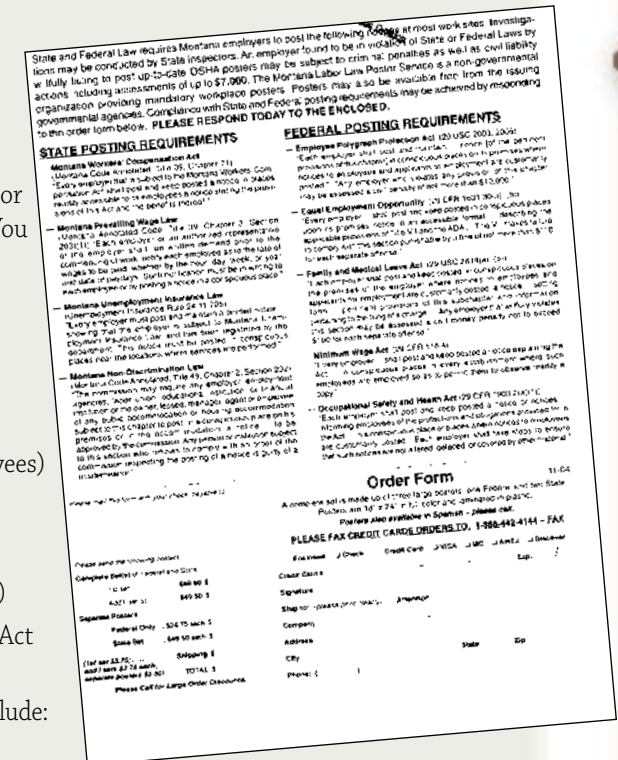
Where can they be obtained?

The Department offers a variety of ways to obtain the required Federal posters at no cost. Professionally printed 5-in-1 and USERRA posters may be obtained by contacting a Business Advocate at your local Job Service Workforce Center. Locate your nearest Job Service through montanajobs.mt.gov or in your local phone book. General information on required posters and how to download federal posters from the Internet can be found at our wsd.dli.mt.gov/service/posters.asp. Or you can call us in Helena at (406) 444-4100 for more information.

The State's two required postings are not generic posters, but are issued individually to businesses that are current in their payment of Workers' Compensation premiums and Unemployment Insurance taxes by the entities that provide the coverage.

- To obtain Proof of Workers' Compensation Coverage, contact your Workers' Compensation insurance carrier.
- To obtain Proof of Unemployment Insurance Coverage, contact Desiree Downing, via e-mail ddowning@mt.gov in the Department's Unemployment Insurance Contributions Bureau, (406) 444-3834.

Effective October 1, 2005 most Montana businesses will have a new posting requirement. No Smoking signs must be posted in all businesses except for those bars and casinos that will qualify for an exception until October 2009. The Tobacco Use Prevention Section of the Department of Public Health and Human Services will release more detailed information on the new requirement. Posters will be available at no cost to you. For additional information, please contact Georgiana Gulden at DPHHS (406) 444-9617.



ABC's OF BUSINESS



BIZ FROM BABS



(Business Advocate Barbara Kennedy)

Q: Recently our company posted a “catchy” want ad hoping to attract “young, go-getters.” In doing so, we offended a large group of people that are now saying we eliminated them because of their age. What do we do?

A: Age discrimination is one of the two fastest growing areas of discrimination nationally. Age “preference” makes up 20% of all discrimination claims. The Age Discrimination Employment Act (ADEA) prohibits employment discrimination against workers 40 years and older in areas such as hiring, firing, compensation, promotions, discipline, etc.

In Montana, any employer who hires one or more persons is subject to the Montana Human Rights Act, an act which prohibits discrimination based on age and a number of other classes.

When viewing an ad for “young, go-getters,” a more “mature” audience may feel that if you aren’t young that your “go-getter” got up and left. In considering age discrimination, some of the possible problem areas for employers are

- Advertising – Beware of certain phrases that imply age preference, such as “young aggressive types” or “June graduates.”
- Walk-ins and word-of-mouth referrals – If you don’t have a diverse workforce, older workers may be discouraged from applying simply because they believe they won’t be hired.
- Applications and interviews – Avoid questions that could easily indicate age such as birth date, high school and/or college graduation dates.
- Job assignments – Check your own perceptions of older and younger workers. Judge work outputs based on individual abilities, not assumptions about energy, stamina or image.

In general, employers need to be aware that the more diverse the workforce in your business, the less exposure you will have to discrimination claims.

Q: We’re a small start-up company without a human resource representative. We are in the process of posting a job description and soon will be interviewing. Any advice?

A: Selecting the right employee for your business is one of the most important aspects of running a business. The foundation for hiring the right person for the right job the first time is an accurate, complete job description for the position being hired. First start by identifying the actual skills, knowledge and abilities required to successfully perform the job. This measure will ensure you have a pool of likely candidates.

Using the major tasks from the job description, begin developing a set of questions that will elicit the information you need to make the best hiring decision. Consider questions that will help

you determine the candidate’s related work experience, technical skills, ability to learn the position, attitude, communication skills and motivation.

Use open-ended questions to allow more thought and input from the applicant. If possible, include a significant number of behavioral questions that require applicants to give you specific examples of how they have performed in a certain task or handled a complex problem. Past actions are good predictors of future behavior.

Having more than one person interview the candidates will allow for more diverse perceptions of the applicant’s responses. Remember, the amount of time and effort spent in selecting the right employee for the job should make managing the employee easier. No amount of training can make up for a poor hiring decision.

Q: Our non-profit organization doesn’t put a lot of emphasis on employee evaluations. When we do complete reviews, most of my staff feels I’m criticizing them or that I don’t really know what they do. What can I do?

A: Current research tells us that most human resource professionals believe retention of high performers is their number one people-related issue. With turnover costs estimated to be anywhere from 33% to 250% of annual pay, it’s critical to most businesses to pick the right people for the job and to create an environment where those employees can succeed.

A sound performance appraisal program is an indispensable part of any effective employee relations program. Performance appraisals provide a direct connection between an employee’s performance and the achievement of the company’s mission. They are the means by which everyone in an organization understands and is held accountable for meeting truly important objectives. Without an effective program you face the risk of not only losing your best employees, but falling victim to legal action undertaken by discharged or disgruntled employees.

The most effective performance management routines consist of regular, frequent interaction with employees where the employee can talk about specific details of their work, what their successes are, what they’ve learned, what they hope to accomplish in the next few months and how the manager can help. This kind of performance management puts the responsibility on the employee to keep track of their performance and not merely be a passive recipient of an annual judgment of their work.

Frequent meetings also make it easier for an employee to address areas of poor performance since they will be introduced little by little. A good program can help to motivate employees to work better, ensure employees are directing their efforts towards the right goals and help employers to improve their bottom line through decreased turnover.

BUSINESS BOOK BUZZ

Excerpts compiled by: Kathy Steil

The following business books are available for purchase at your local book store or online. Check with your local Job Service Workforce Centers for additional employer resources.



Get Unstuck with Crucial Conversations®!

<http://www.vitalsmarts.com>

If you feel stuck-in a relationship, in your career, at home, wherever-chances are there’s a crucial conversation that’s keeping you there. Based on the New York Times bestseller Crucial Conversations, these principles give you the skills you need to handle crucial conversations-principles that if practiced will yield major improvements in areas like productivity, quality, safety, diversity, change management, and personal relationships.

Now Discover your Strengths

<http://www.gallup.com/publications/strengths.asp>

Marcus Buckingham, co-author of the national bestseller, First, Break All the Rules, and Donald O. Clifton, Chair of the Gallup International Research & Education Center, have created a revolutionary program to help readers identify their talents, build them into strengths, and enjoy consistent, near-perfect performance. At the heart of the book is the Internet-based Clifton StrengthsFinder Profile, the product of a 25-year, multi-million dollar effort to identify the most prevalent human strengths. The program introduces 34 dominant “themes” with thousands of possible combinations, and reveals how they can best be translated into personal and career success.

The Success Principles

<http://www.thesuccessprinciples.com>

Get ready to transform yourself for success. Jack Canfield, co-creator of the phenomenal bestselling Chicken Soup for the Soul® series, turns to the principles he’s studied, taught and lived for more than 30 years in this practical and inspiring guide that will help you get from where you are to where you want to be. Not merely a collection of good ideas, this book spells out the 64 timeless principles used by successful men and women throughout history.

Give ‘em the Pickle!

www.giveemthepickle.com

PICKLES are those special or extra things you do to make people happy. It’s a hand written thank you note with every order shipped. It’s walking the customer to the item they’re looking for rather than pointing..or maybe it’s simply calling them by name. The trick is figuring out what your customers want and then making sure they get it. That’s the PICKLE!

Highly entertaining and motivational, Give ‘em the PICKLE! will inspire management and employees to do the most important thing they can do in business...take care of the customer.

Gung Ho!

<http://www.kenblanchard.com/areas/gungho.cfm>

The Gung Ho! process is capable of responding to various organizational needs to stay on top in today’s ultra-competitive business world. The three principles of Gung Ho! are simple, yet amazingly powerful, and will create an organization of productive, committed employees who love what they do. 1) Worthwhile work driven by goals and values 2) Putting workers in control of achieving the goal & 3) Cheering each other on.

The Fred Factor

<http://www.fredfactor.com>

“What I like best about The Fred factor is that Fred’s story is true! In addition to Fred’s own story, the book introduces us to many other real people making a difference in the world. I urge you to do something special for others and yourself - incorporate the Fred Factor in your life.”

- John C. Maxwell,

Author of The 21 Irrefutable Laws of Leadership

ONLINE SERVICES FOR PROFESSIONAL & OCCUPATIONAL LICENSING

Author: Jill Caldwell

The licensing bureaus of the Business Standards Division offer online license renewal for most licenses. This feature allows licensees to renew their licenses 24 hours a day, 7 days a week through the entire licensure period and includes a 45-day late period. Payment can be made with a credit card (Visa or Master Card) or by electronic check. The licensee can then print the renewed license or indicate in the checked box to have the licensing bureau staff print and mail the license.

If the licensee needs to register a change of address, the change can be made online.

Another advantage to renewing online is the ability to print an unlimited number of colored licenses at no additional cost until the end of the license renewal period.

It's quick, easy, and costs no more than renewing with a paper form and check.

Renewal Licensing

<https://app.mt.gov/renewal>

At this site you will find a complete list of licenses that can be renewed online as well as easy to follow instructions. The Department also has a batching system available for those employers or businesses that want to pay for many of their employees' licenses with one payment.

License Renewal Dates

http://mt.gov/dli/bsd/license/bsd_boards/general_rules/gen_rules.asp

For additional information, contact the respective licensing board.

Licensing Board and Program Sites

http://mt.gov/dli/bsd/license/licensing_boards.asp

Licensee Look-up Service

<http://app.mt.gov/lookup>

The Department also has a Licensee Look-up Service to verify the status of a professional or occupational license. This website allows you to verify not only the type and status of the individual (or business) license, but also the date that it lapses and notifies the public of disciplinary actions that affect the license. The search allows you to verify the license whether or not you know the licensee's license number. This service is free and available 24 hours a day, 7 days a week.



Licenses that can be renewed online now include:

Acupuncturists
Architects
Audiologists
Barbers
Chiropractors
Clinical Laboratory Scientists
Construction Blasters
Cosmetologists
Dentists
Electrologists
Emergency Medical Technicians
Estheticians
Hearing Aid Dispensers
Landscape Architects
Licensed Addiction Counselors
Manicurists
Nurses
Nursing Home Administrators
Nutritionists
Occupational Therapists
Optometrists
Pharmacists
Physical Therapists
Physician Assistants
Plumbers
Property Managers
Public Accountants
Radiologic Technologists
Real Estate Appraisers
Real Estate Brokers
Real Estate Salespersons
Respiratory Care Practitioners
Social Workers
Speech and Language Pathologists
Veterinarians

RURAL VERSUS FRONTIER

Author: Helena Lee

Excerpts taken from www.wiche.edu/MentalHealth/Frontier/letter22.html

"The Census Bureau developed a method, based on census reports, to classify and rank states with frontier populations. The designation of 'frontier' is based on two criteria. Total population of a states frontier counties (those counties with less than 7 persons per square miles), and the percentage of frontier-county residents within a state. Montana is one of 26 states with frontier counties.

47 of Montana's 56 counties are considered frontier counties. In 1990 the population of our frontier counties was 281,822. The percentage of Montana's population in frontier counties in 1990 was 35.27%.

To classify rural, a combination of population density, raw population size and residence outside a town of 2,500 or more describes rural. This method of classification assumes that if a county has a very small population, a high degree of dispersion among its residents, and a high percentage of 'rural' non-town residents, the county is extremely rural in nature.

Frontier areas are often a forgotten type of rural area. They are distinct because of their location in the West and their isolation. Their isolation and distance from services define them".

The Health Care Licensing Bureau (HCLB) licenses health care practitioners who provide services to rural and frontier areas of the state.



Board of Speech-Language Pathologists and Audiologists

According to Administrative Specialist Helena Lee, the Board primarily uses speech or audiology aides in the rural schools across the state. The aides allow the school system to meet federal guidelines to serve the communicatively impaired student population. The aide is an adjutant for the licensed professional. Historically, the board registers 100+ aides on an annual basis. A fully licensed speech-language pathologist or audiologist supervises the aide. The licensee writes the plan and implementation for the aide to follow. There are approximately 300 licensed professionals who work in school and private settings.

Board of Radiologic Technologists

Administrative Specialist Helena Lee said the Board has three licensed radiologic technologists that were issued the specialty designation of Radiologist Assistant (RA). The Radiologist Assistant is an extension of the Radiologist, MD, to provide under supervision, the board determined list of functions and procedures that are appropriate.

ANNUAL ARBITRATION & LABOR RELATIONS CONFERENCE HELPS MINIMIZE CONFLICT

Author: Wade Wilkison

The 26th annual Montana Arbitration and Labor Relations Conference will be held on September 20, 21 and 22, 2005, at Ruby’s Inn in Missoula.

Topic 1: Negotiation & Arbitration

We will begin our event with a pre-conference session on “The Expanded Role of Arbitrators and Arbitration in the Employment Setting,” hosted by keynote speaker, David B. Lipsky. In his keynote address, Dr. Lipsky will provide straight talk on negotiation, conflict resolution and collective bargaining drawn from his new book, *Emerging Systems for Managing Workplace Conflict*.

David B. Lipsky is the Professor of Industrial and Labor Relations and Director of the Institute on Conflict Resolution at Cornell University. This year he is the President-Elect of the national Labor and Employment Relations Association (LERA, formerly the Industrial Relations Research Association). He is the author of over forty-five articles and the author or editor of nineteen books and monographs.

Topic 2: Workplace Generations in Conflict

Kimberly Beg and Eileen Hoffman, Commissioners from the Federal Mediation and Conciliation Service, will present “When Generations Collide in the Workplace.”

Kimberly Beg is a Commissioner with the Federal Mediation and Conciliation Service (FMCS) in the Office of International and Dispute Resolution Services. She is responsible for developing FMCS’ International and Alternative Dispute Resolution programs. Additionally Beg is responsible for providing a wide range of mediation, facilitation, training and systems design services.

Eileen B. Hoffman serves as a mediator and project director with FMCS’s International and Dispute Resolution Section in Washington, DC. In that capacity she has trained numerous labor, management, and government officials in dispute resolution skills. Additionally, her repertoire includes developing new workshops on problem-solving and generational conflict, and mediated labor and workplace disputes. She has been selected to become President Elect of the Labor and Employment Association (LERA) in 2006.

Topic 3: “How to do it Right” Sessions

Concurrent sessions will be offered on negotiations in practice and arbitration, such as “Past Practices Revisited,” with Montana hosts Jeff Minckler and Joe Dwyer; “Introduction to Arbitration” presented by Arbitrators David Stiteler and Kathryn Whalen; and “Sleeping on Your Rights: Jordan & Browning Revisited,” led by Mike Dahlem.

Topic 4: Past Practice Impacts

Nationally recognized arbitrator Jack Flagler has agreed to return to Montana to present “Past Practice Impacts on Collective Bargaining.” Flagler is a labor arbitrator with extensive experience in labor relations from both practical and academic viewpoints. Before teaching at universities in this country and abroad, he was a chief steward and then president of a local union in a foundry. Recently retired from his tenured position at the University of Minnesota, he has written several publications on the subject of labor relations, including the arbitrator’s decision-making process. He is a member of the following arbitration panels: Minnesota, Montana, Wisconsin, Federal Mediation and Conciliation Service, National Mediation Board, and American Arbitration Association. In 1996 Jack was awarded the AAA Crystal Owl for distinguished service and is a former governor of the National Academy of Arbitrators.

Past practice will also be the topic of the fact patterns used in the Red Light/Green Light session, where a panel of arbitrators will hear grievances and individually set out the analysis used prior to giving a decision on each case.

Topic 5: Employment Law Developments

Montana lawyers Karl Englund and LeRoy Schramm will address employment law developments in the state, while representatives of the National Labor Relations Board and Federal Mediation and Conciliation Service will provide updates from their agencies.

Topic 6: Different Boards & Processes

A panel of representatives from the Montana Board of Personnel Appeals (BOPA) and the NLRB will discuss the similarities and differences between the public and private boards, following concurrent sessions about the fundamentals of each act.

In order to give practitioners an opportunity to further participate in the labor relations process, the Montana Board of Personnel Appeals will conduct its regular September meeting directly following the conference on Friday afternoon.

A detailed agenda for the conference is located at www.mtlaborrelationsconf.com. The site provides links to the agenda, presenter biographical information, and online pre-registration for the conference. Continuing education credits are available from many professional organizations. The Arbitration training on Tuesday, September 20 has been submitted for 5.5 CLE credits and the two-day conference to follow has been submitted for 10.25 CLE credits.

The Annual Arbitration and Labor Relations Conference 2005 is sponsored by the Montana Department of Labor and Industry, Board of Personnel Appeals, Montana Arbitration Association, Federal Mediation and Conciliation Service, and the National Labor Relations Board.



Donnie Sexton

What’s on the Menu of Upcoming Events?

Alphabet Soup - ABC Clinics

City	Date	Location	Sponsor	Phone	Fee
Butte	September 13	Red Lion Hotel	Chamber of Commerce	(723-3177)	\$30
Lewistown	September 21	Yogo Inn	JSEC/Chamber	(538-8701)	\$25/20**
Great Falls	September 22	Town House Inn	Chamber of Commerce	(761-4434)	\$35/45*
Havre	October 4	Great Northern Best West	Chamber of Commerce	(265-4383)	\$25
Cut Bank	October 5	Glacier Electric	JSEC/Chamber	(873-2191)	\$30
Missoula	October 18	Best Inn & Conf. Center	Chamber of Commerce	(543-6623)	\$35/45*
Hamilton	October 19	Bitterroot River Inn	Chamber of Commerce	(363-2400)	\$35/40*

Choose a Main Course

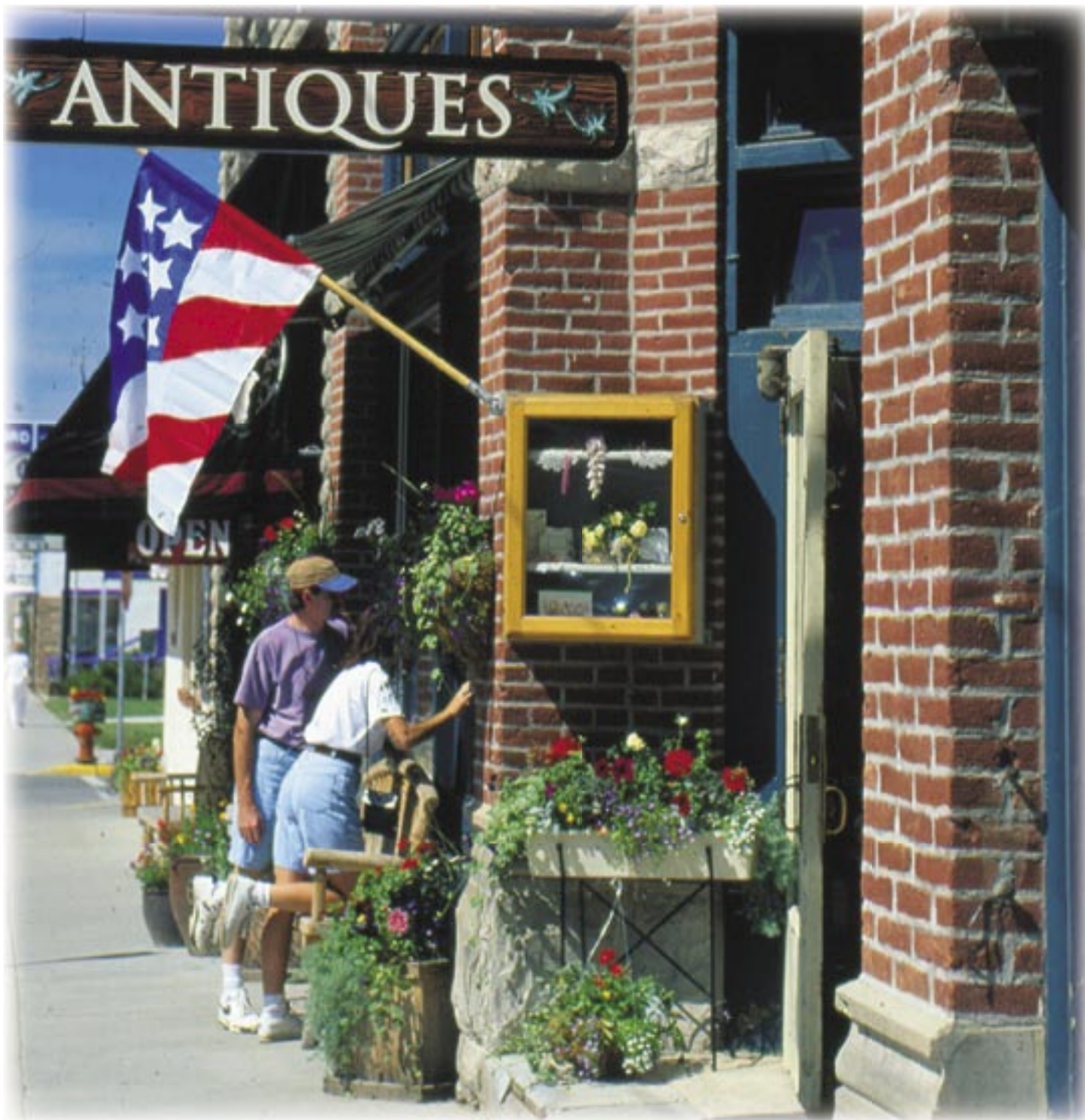
26th Annual Montana Arbitration & Labor Relations Conference September 20, 21, & 22, 2005 at Ruby’s Inn, Missoula
The Governor’s Conference on Civic Engagement and Awards Ceremony October 3, 2005 at the Double Tree Hotel, Missoula
Montana’s Energy Future Symposium October 18-19, 2005 at Montana State University, Bozeman
Annual Human Resource Conference October 25-26, 2005 from 7am to 5pm at Grouse Mountain Lodge, Whitefish

With a Side of Montana Occupational Safety & Health Training

MISSOULA		GREAT FALLS	
Accident Investigation Techniques & Procedures	Sept. 21	Safety Inspections Tools & Techniques	Sept. 8
Emergency Action Plans	Sept. 22	Safety Management Systems	Sept. 9
Forklift Operator Training	Oct. 19	Confined Space Entry Requirements	Nov. 16
Trenching & Excavation	Oct 20	Trenching & Excavation	Nov. 17
OSHA 10-hour General Industry	Nov. 9-10		

Check out our extended menu of events on
<http://app.mt.gov/cal/event?calendar>

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